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R O B E R T   A .   G R O S S

Few political protests have achieved so little in their time and gained so much subsequent renown as Henry David Thoreau's gesture of "civil disobedience" against the Mexican War, now approaching its 160th anniversary in July 2006. A year into his sojourn at Walden Pond, on the outskirts of Concord, Massachusetts, and several months after the start of hostilities, so the familiar story goes, Thoreau took the radical step of refusing to pay his taxes in order to protest the war. For that act of conscience, he was taken by the town constable and locked up in the local jail, where he spent the night, only to be released the next day after someone, probably his aunt, paid the tax on his behalf. Thoreau then returned to Walden woods to continue the experiment of independent living in nature that he would ultimately transform into a literary classic. *Walden*, published in 1854, established his enduring reputation as a writer. The political protest made him equally famous. In 1849, Thoreau published an account of his anti-war action in an obscure publication with the unlikely name *Aesthetic Papers*. Originally called "Resistance to Civil Government," the essay has become known worldwide as "Civil Disobedience," the title it was given in an 1866 collection of Thoreau's writings issued

two years after his death. Offering a principled justification for conscientious refusal to comply with immoral laws, “Civil Disobedience” has entered our political lexicon and made its mark on history through its influence on twentieth-century movements for nonviolent, democratic change, from Mahatma Gandhi’s campaign for Indian independence to Martin Luther King’s leadership of the civil rights cause in the United States. Russian anarchists, members of the Danish resistance in World War II, early opponents of South African apartheid have all claimed Thoreau as an inspiration. Appropriately, in Mexico he has been heralded as a key source for the nonviolent challenge of native peoples to federal and state laws on indigenous rights and culture. “The ghost of Henry D. Thoreau walks proudly through the indigenous regions of Mexico,” declared Luis Hernández Navarro in *La Jornada* on 4 September 2001. “His example has spread to all corners.”

Yet, for all the acclaim it has won, Thoreau’s act of civil disobedience was utterly irrelevant to the course of events in Mexico starting with the annexation of Texas by the United States in December 1844 and culminating in the Treaty of Guadalupe Hidalgo in February 1848. Although it occurred not long after the conflict had begun and well before the dramatic victories by U.S. forces at Monterrey and Veracruz, and although it took place in New England, the heart of American opposition to the Polk administration’s aggressive policy, Thoreau’s anti-war gesture came and went without any public impact. The local newspaper, the Concord *Freeman*, said nothing about the arrest, nor did anybody in the Boston press, not even the militant abolitionist periodical *The Liberator*, whose editor William Lloyd Garrison was quick to condemn the war as one “of aggression, of invasion, of conquest, and rapine – marked by ruffianism, perfidy, and every other feature of national depravity.” Thoreau provided no public explanation of his action until late January 1848, when he came before his neighbors at the Concord Lyceum and delivered a lecture on “The Rights and Duties of the Individual in Relation to Government.” By then, the war had wound down, and peace lay at hand. The Treaty of Guadalupe Hidalgo was already a year old by the time the lecture finally appeared in print. No one can accuse Thoreau of seeking publicity.

Surprisingly, once he did get around to explaining himself,

Thoreau had hardly anything to say about the very event – the war between the United States and Mexico – that triggered his “Resistance to Civil Government.” Opponents of “Mr. Polk’s War” regularly denounced the administration for starting the conflict and then lying about its cause; newly elected Whig congressman Abraham Lincoln demanded to know the exact “spot” where Mexican troops had invaded U.S. territory and spilled “American blood on American soil.” Thoreau eschewed such concerns. He took it for granted that top officials had gotten the nation into an illegal and undemocratic war. The conflict was “the work of comparatively a few individuals using the standing government as their tool; for, in the outset, the people would not have consented to this measure.” Let others worry, too, about the corrupting effects of the war on American character. To Ralph Waldo Emerson, the Transcendentalist sage, Anglo-Saxon civilization, with its irrepressible “race-drive,” was destined to spread across the continent. Far better to await the inevitable triumph of American culture than to prevail by violence and risk contamination by an alien people he deemed “degraded and corrupt.” Thoreau, the erstwhile disciple of Emerson, avoided all such speculation about causes and consequences. He kept his focus on the essential design of the war: to expand the empire of slavery. “When a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjected to military law,” he thundered, “I think that it is not too soon for honest men to rebel and revolutionize.” This was the common sentiment among New England abolitionists, and Thoreau never deviated from that line.

If the anti-war protest was belated, it was also something of an afterthought. Thoreau had actually stopped paying his taxes sometime in 1842 or 1843, while Texas was still an independent republic and war with Mexico was not on the horizon. He did so without fanfare, withdrawing his support for a state he considered hostile to individual freedom. This action expressed a militant spirit of anarchism stirring among radical abolitionists in the Boston area, who denied the right of any institution – church, state, or family – to coerce the individual. Prominent among them was Thoreau’s Concord neighbor the Transcendentalist Bronson Alcott, who joined in founding the New England Non-Resistance

Society in 1839. The group was dedicated to the principle of “gospel love”; taking the Sermon on the Mount as their guide, they renounced every exercise of force and violence, whether imposed by government or committed by private persons. “I look upon the Non-Resistance Society as an assertion of the right of self-government,” Alcott proclaimed. “Why should I employ a church to write my creed or a state to govern me? Why not write my own creed? Why not govern myself?” In this spirit, Alcott also stopped paying his local taxes, for which he was briefly arrested in 1843, only to be released within a few hours after a fellow townsman intent on avoiding a public scandal picked up the debt. The episode was a dress rehearsal for Thoreau’s act of tax resistance, and Alcott may well have been his model. But Thoreau never embraced the cause of Non-Resistance; in fact, he argued against it in a debate at the Concord Lyceum, with Alcott on the opposing side. Far from turning the other cheek, he was prepared to defy authority, when necessary, and to court confrontation. And so it was that when Samuel Staples, the town constable, finally caught up with Thoreau in the summer of 1846 and demanded payment of four years’ back taxes, the young radical provoked a crisis. Staples, an occasional hunting companion of Thoreau’s, offered to lend him the money, if that was the problem. But Thoreau refused. The constable then warned his recalcitrant friend that he was risking arrest. “As well now as any time, Sam,” was the reply. Had Staples been more attentive to his duties and dunned the delinquent taxpayer sooner, Thoreau might have gone to jail in 1844 or 1845 – before the war with Mexico had even begun.

Even the tax he refused to pay had nothing to do with slavery or the war. It was a local poll tax, assessed annually on all males over age sixteen in every Massachusetts township, in order to pay the costs of town, county, and state government. In the 1840s, the charge was usually \$1.50, two or three days’ wages for a common laborer – the amount levied on Thoreau, which local tax records from early 1842 show him as paying. It took some tortuous reasoning to connect this ancient tax, dating back to the Puritans, to the support of the federal government or to the financing of an “unrighteous and unjust” war. The Polk administration paid for its volunteer troops in Mexico by raising tariffs on imported goods. For this reason, Ralph Waldo Emerson was baffled by his young

friend's vehicle of protest. "Refusing payment of the state tax does not reach the evil so nearly as many other methods within your reach," Emerson reflected in his private journal. "The [Massachusetts] state tax does not pay the Mexican War. Your coat, your sugar, your Latin & French & German book, your watch does." If Thoreau really meant to deprive the government of funds to fight the war, he should refrain from buying these goods.

It is hardly surprising that, apart from a few intimates and a couple of casual onlookers, nobody bothered to remark on Thoreau's brief confrontation with the law. For in July 1846, he was an unmarried, twenty-nine-year-old Harvard graduate who had yet to realize the great hopes of family and friends. Since finishing college in 1837, he had taught school, worked as a private tutor, helped out in his father's pencil business, and been a handyman in Emerson's household. None of these efforts did much to advance his worldly prospects. Nor had he made significant progress in his ambitions as a writer. Though he proudly claimed "letters" as his "profession," he had published little. A short obituary in the local newspaper, a report to Garrison's *Liberator* on the abolitionist Wendell Phillips's speech at the Concord Lyceum, a few essays on classical and Oriental writers in the Transcendentalist journal *The Dial*, edited by his mentor Emerson: that was the corpus of Thoreau's publications down through 1846. The sojourn at Walden was meant to change all that. It constituted a writer's retreat, where Thoreau could cultivate prose along with his beans, and it proved spectacularly productive, yielding one book, *A Week on the Concord and Merrimack Rivers*, published in 1849, the first draft of another, *Walden*, and several articles and lectures. Thoreau had to take time away from his writing desk to get arrested. But to the outside world, he seemed an eccentric ne'er-do-well living idly in the woods. On the town's tax rolls, he was merely one among many landless laborers, obliged to others for their daily bread.

Living "alone, in the woods, a mile from any neighbor," enjoying solitude in nature, and absorbed in his writing, Thoreau might well have ignored the drumbeat of war. Walden offered a refuge from all the expectations and pressures limiting his creativity. "I dwelt nearer to those parts of the universe and to those eras in history which had most attracted me," he recalled. "Where I lived was as far off as many a region viewed nightly by astronomers."

Thoreau liked to feign indifference to current events, and he dismissed the value of the daily press. "I am sure that I never read any memorable news in a newspaper." "Read not the Times," he advised. "Read the Eternities." But he was incapable of following his own counsel. His hometown paper, the *Concord Freeman*, was enthusiastic about Texas annexation, and when war came, it called on readers to rally around the troops. The voice of the local Democratic Party, the *Freeman* allowed no room for dissent. The opposition Whigs decried the war but approved funds for its support, lest they be accused of betraying American soldiers in harm's way. Then as now, critics of the war were charged with undermining military morale. In Concord, opinion was closely divided, with voters favoring the Democrats by narrow margins. Sam Staples may well have gained from arresting Thoreau; in 1847, the Democratic constable won easy election as the town's representative to the state legislature. In this pro-war setting, Thoreau surely despaired of his neighbors.

But what to do? For the abolitionist Garrison, the answer was simple: "at every sacrifice," he counseled readers of the *Liberator* ". . . refuse enlistment, contribution, aid and countenance to the war." Thoreau's sisters Helen and Sophia embraced that stance. Active abolitionists since the mid-1830s, they pledged to resist the war in a collective statement signed by some 290 fellow radicals and printed in the *Liberator* early in June 1846. Would their brother join them? Although he had stopped paying taxes after 1842, Thoreau did not refuse all public duties. As late as 1844, he turned out for the annual militia muster on the town common. But while living in the woods, he stayed away, preferring the bean field to the training field. If this was an anti-war protest, Thoreau never called attention to it, and no authority ever called him to account. (The penalty for non-attendance was a fine, another tax he could have refused to pay.) In contrast to his sisters, solitary action was Thoreau's way. He found inspiration in the idealistic figure of Wendell Phillips, the elite Boston lawyer turned abolitionist orator, who spoke out against Texas annexation before the Concord lyceum in March 1845. So moved was Thoreau by the absolute integrity of the speaker, whose every utterance was delivered "earnestly . . . wisely and bravely, without counsel or consent of any,"

that he sent a fulsome report to the *Liberator*. In Thoreau's eyes, Phillips was "an eloquent speaker and a righteous man."

Yet, Thoreau had withdrawn into the woods "to transact some private business" and not to engage in public protest. What, then, provoked him into action? The answer, it appears, was a powerful anti-war speech by Ralph Waldo Emerson on the Fourth of July 1846. Lamenting the "inaction and apathy" of Massachusetts citizens who opposed the war but did nothing to stop it, Emerson indicted the motives of the rich and respectable. Pusillanimous Whig merchants and bankers, fearful of alienating Southern customers, put profit over principle; other citizens were loath to set aside propriety in forthright defense of morality. "People are respecters, not of essential, but of external law, decorum, routine, and official forms." The only hope lay in the example of the abolitionists, "this fervent, self-denying school of love and action," ready to be martyrs to a holy cause. Printed in *The National Anti-Slavery Standard* on 16 July 1846, this address spoke to Thoreau's mood. Answering Emerson's call, Thoreau overcame his inclinations and made a stand for conscience. Ironically, his mentor disapproved, calling the act of tax refusal "mean and skulking and in bad taste." In Emerson's judgment, tax resistance by abolitionists, "hot headed partialists" obsessed with "a few specialized grievances," was appropriate. Not so when it was committed by his disciple Thoreau, whose focus should rest on broader concerns. "Your true quarrel," Emerson opined, "is with the state of Man."

Coincidence and purpose thus combined to spur Thoreau into radical action. The "hermit of Walden" seized on his chance encounter with Sam Staples to provoke a confrontation that would dramatize his hostility to a state committing crimes against humanity. No matter that the poll tax was ill-suited to his end. Staples's demand for back taxes afforded a pretext for Thoreau to make a symbolic protest against a national government he could do nothing to change. His real target was his neighbors, whose political convictions he might affect through his example of self-sacrifice for the sake of conscience. To be sure, Thoreau was still a radical anarchist, for whom governmental coercion, and not just the war against Mexico, remained the fundamental issue. Shortly

after leaving jail, Thoreau remarked, “The only highwayman I ever met was the state itself – When I have refused to pay the tax which is demanded for that protection I did not want, itself has robbed me – When I have asserted the freedom it declared it has imprisoned me.” But he kept those opinions to his journal. In any case, his aunt took the wind out of his sails by paying the overdue taxes, and he was obliged to return to Walden, having failed to influence even his old friend Staples, who, for all his congeniality, readily turned himself into an instrument of the state. “The jailor or constable as a mere man and neighbor . . . may be a right worthy man with a thought in the brain of him –,” Thoreau lamented, “but as the officer & tool of the state, he has no more understanding or heart than his prison key or his staff.” Consequently, Thoreau bided his time and postponed a public explanation of his protest until after he completed his sojourn in the woods and returned to civilization.

The result was worth the wait. Thoreau transformed his symbolic gesture of opposition to the war into a personal declaration of independence. Rejecting the claims of the state, he upheld the sovereignty of the individual, the “higher and independent power” from which government properly derives “all its own power and authority.” Thoreau wrapped himself in the mantle of the men who had made “the Revolution of ’75,” the Minutemen of Concord who had faced off against invading British Regulars at the Old North Bridge on 19 April 1775 and sparked the war for American independence. “Resistance to Civil Government” re-enacted that moment and reaffirmed its guiding principle: “the right of revolution; that is, the right to refuse allegiance to and to resist the government, when its tyranny or its inefficiency are great and unendurable.” This was the original Revolution of Thomas Jefferson and Thomas Paine. Faced with an unjust demand from the ruling powers, Thoreau determined “to refuse allegiance to the State, to withdraw and stand aloof from it effectually.” Though he took up no arms, he was engaged, like his revolutionary forebears, in active resistance to oppression: “I quietly declare war with the State, after my fashion.”

Yet Thoreau took the revolutionary tradition and turned it to individualistic purposes the founders of the Republic would have abhorred. “I love mankind,” he quipped after his arrest. “I hate the



institutions of their fathers.” True to his word, he invoked his version of 1776 to repudiate the legacy of the revolutionary generation. He was equally scornful of the contemporary scene, finding fault with virtually everything around him. In his damning judgment, the characteristic institutions of the United States in the mid-nineteenth century betrayed the authentic spirit of the Revolution. Not surprisingly, this sweeping attack on American society did not go down well with conventional patriots. After “Resistance to Civil Government” was published in 1849, one Boston newspaper dismissed it as “crazy,” while the Boston *Courier* likened Thoreau to the European revolutionaries of 1848. The editors offered “an earnest prayer that he may become a better subject, in time.” If not, let him “take a trip to France, and preach his doctrine” of resistance to the “Red Republicans.” Few others deigned to comment. The essay would have to wait until the twentieth century to find an appreciative audience. Even so, “Civil Disobedience” stands for a radical individualistic strain of American thought that flourished among Transcendentalists and abolitionists in the three decades before the Civil War and occupies a critical place in our intellectual heritage from that time — Thoreau’s disdain for inherited ideas and traditions notwithstanding.

What so aroused Thoreau’s fury? When the liberal French aristocrat Alexis de Tocqueville visited the United States in 1831, he set out to identify the key practices and institutions at the heart of the Republic. Two realms stood out in his view. The first was politics, the forum of popular self-government, of which the United States was the exemplar in the Western world of the time. Democracy in America, Tocqueville discovered, was founded on the active engagement of citizens in the affairs of government at all levels. “The people are . . . the real directing power; and although the form of government is representative, it is evident that the opinions, the prejudices, the interests, and even the passions of the people are hindered by no permanent obstacles from exercising a perpetual influence on the daily conduct of affairs.” Complementing the political arena and extending the power of the people was the second sphere, the voluntary association, which enlisted private individuals in a host of organizations formed for mutual benefit. “Americans of all ages, all conditions, and all dispositions constantly form associations,” Tocqueville observed. “The most

democratic society on the face of the earth is that in which men have, in our time, carried to the highest perfection the art of pursuing in common the object of their common desires and have applied this new science to the greatest number of purposes.” Tocqueville took the measure of these twin institutions, warning against the potential “tyranny of the majority,” worrying about the leveling effects of too much equality, and balancing his criticism with praise for Americans’ love of liberty and independence.

Henry David Thoreau, who came of age in the 1820s and 1830s, looked at the same society as had Tocqueville – or more precisely, his little corner of New England – and identified the same characteristic institutions. But far more than the skeptical Frenchman, the Yankee was appalled by what he saw, and in “Civil Disobedience,” he gives vent to that disgust. Consider his reactions to the mass democratic politics of the Jacksonian age, with its fierce party competition and its panoply of techniques – caucuses, conventions, newspapers, speeches, parades, barbecues – designed to stir the enthusiasm of the people and bring out their votes. This was a system contrived by and large for white men only; in the 1830s and 1840s, it came to embrace the vast majority of them, even as it excluded blacks in most states (though not in Thoreau’s Concord, where a handful of African Americans did cast their ballots). But it was not the racism of American politics that disturbed Thoreau. Rather, he concentrated his scorn on the politicians of his day, whose cheap words and petty quarrels he deemed irrelevant to the serious business of life. “I hear of a convention to be held at Baltimore, or elsewhere, for the selection of a candidate for the Presidency, made up chiefly of editors, and men who are politicians by profession; but I think, what is it to any independent, intelligent, and respectable man what decision they may come to . . . ?” His opinion of the U.S. Congress was no higher. “If we were left solely to the wordy wit of legislators in Congress for our guidance, uncorrected by the seasonable experience and the effectual complaints of the people, America would not long retain her rank among the nations.” That judgment surely resonates with many U.S. citizens today.

Behind these witty sentiments lay a radical disaffection from popular democracy as it was practiced even in the small towns of New England in the 1840s. Thoreau spurned the ordinary ex-

ercises of political action by his contemporaries. In the late 1830s, as he was reaching adulthood, the reform impulse surged, inspiring thousands of ordinary citizens – women as well as men – to join in mass petitions to their state legislatures and to Congress. The people called on their representatives to ban the sale of hard liquor, to prohibit the delivery of mail on the Sabbath, to stop the forcible removal of the Cherokee Indians from Georgia, and to take vigorous steps to stem the expansion of slavery. The Thoreau family threw themselves into campaigns on behalf of the dispossessed, as did the Emersons. Hardly a petition against slavery circulated in Concord without attracting the signatures of Henry’s parents, his aunts, his older brother, his two sisters. For a while, he lined up alongside them; in 1837, twenty-year-old “D. H. Thoreau” – he had not yet demanded to be known as “Henry David” – joined with 127 other men, including his father and brother John, to oppose the annexation of Texas. He also signed petitions calling on Congress to end slavery and the slave trade in the District of Columbia and to bar the admission of Florida into the Union as a slave state. But after 1840, his name drops off the lists. He remained silent even in 1845, when a new campaign was mounted to oppose the annexation of Texas – a drive led by his aunts among Concord’s women and supported by his sisters and father. For all his hatred of slavery, Thoreau was determined to go it alone. “It is not my business,” he told readers, “to be petitioning the governor or the legislature any more than it is theirs to petition me; and, if they should not hear my petition, what should I do then?”

Vote them out of office, his contemporaries would have said, but Thoreau wasn’t listening. In common with Garrison and other radical abolitionists, he declined to participate in a political system fatally flawed by its reliance on force and its compromise with slavery. But Thoreau had further objections. “All voting is a sort of gaming, like chequers or backgammon,” he maintained, “with a slight moral tinge to it, a playing with right and wrong, with moral questions; and betting naturally accompanies it.” How could anyone leave moral choices to chance? Right or wrong is not simply a matter of opinion, to be inscribed on paper ballots and counted up to produce a decision. “Even voting *for the right* is *doing* nothing for it. It is only expressing to men feebly your desire that it should prevail.” Not that American politics ever allowed a

true choice. In the Jacksonian party system, as Thoreau saw it, voting was reduced to a symbolic decision among alternatives carefully circumscribed by political “demagogues” from the start. Many historians of the period would agree. Yet, even if elections did provide clear-cut options on moral questions, Thoreau could not abide the principle of majority rule. In American politics, decisions are made according to mathematical rule: whoever gets one vote more than his or her rivals wins. To Thoreau, this quantitative logic was anathema. Rather than wait until they achieve “a majority of one,” men of conscience should trust to their convictions. “I think that it is enough if they have God on their side . . . any man more right than his neighbors, constitutes a majority of one already.”

For the vices of American life, moral reformers prescribed a host of remedies, but in Thoreau’s unsparing view, they were part of the problem, *not* the solution. In *Walden*, he painted a scathing picture of the “philanthropist,” who projects his personal distress onto society at large, then organizes a reform group to relieve it. “If any thing ail a man, so that he does not perform his functions . . . he forthwith sets about reforming – the world.” But the characteristic vehicle of reform, the benevolent association, operated on flawed premises. The temperance society solicited pledges to abstain from drinking; the Bible and tract societies collected money to distribute pious works to the poor; the anti-slavery society gathered up signatures on petitions. Every one had its exclusive cause, pursued with unflagging zeal. “There are a thousand hacking at the branches of evil to one who is striking at the root.” The sorry results of this “partial” strategy were evident in the ineffectiveness of abolitionists in challenging the war against Mexico. Thoreau repeated Emerson’s complaint: the anti-slavery forces were all talk and no action. The Garrisonians boldly announce “no union with slaveholders,” but instead of busying themselves with useless petitions to break up the Union, “why do they not dissolve it themselves – the union between themselves and the State, – and refuse to pay their quota into its treasury?”

The new mass society taking shape in the 1840s was built on numbers. “Men are become of no account,” Emerson warned in the “American Scholar” address of 1837. “Men in history, men in the world of to-day are bugs, are spawn, and are called ‘the mass’

and the ‘herd.’” Construed as units in the mass, individuals served as raw materials for the large-scale enterprises of the era: the textile mills, the slave plantations, the political parties, the benevolent empire. Aggregating numbers – votes, signatures, dollars – to achieve specialized ends: this was operating principle Thoreau detected in America at mid-century, and in “Resistance to Civil Government” he refused its quantitative mentality. “Our statistics are at fault. The population has been returned too large. How many *men* are there to a square thousand miles in this country? Hardly one.”

If Thoreau was impatient with reformers, he had no sympathy with conservatives, particularly the Whig politicians and voters whose opposition to the war was entirely rhetorical. “There are thousands who are *in opinion* opposed to slavery and to the war,” he observed, “who yet in effect do nothing to put an end to them. . . . They hesitate, and they regret, and sometimes they petition; but they do nothing in earnest and with effect.” Some feared to act out of misguided loyalty to the American government, to which they paid unthinking allegiance out of habit. “This American government, – what is it but a tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity, but each instant losing some of its integrity?” Others closely calculated their self-interest, judging public policies by their pocket-books. Such were the “hundred thousand merchants and farmers” in Massachusetts “who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, *cost what it may*.” In Massachusetts senator Daniel Webster, the perpetual contender for the Whig presidential nomination, they found the perfect spokesman, who put a towering intellect into the service of vested interests. Webster followed the rule of “policy and expediency”; he approached all questions with a utilitarian calculus, carefully weighing the costs and benefits of decisions even on matters of principle. Known as “the Defender of the Constitution,” the cautious lawyer and statesman was devoted to “the men of ’87,” who had gathered in Philadelphia back in 1787 and drawn up the compact for national government. If the framers of the Constitution had made an immoral bargain with slaveholders to secure their ends, so be it. The senator from Massachusetts would never

question their decisions; his mission was to uphold existing institutions. But for Thoreau, the real Founding Fathers were the brave men of 1775, who had met the Redcoats at the North Bridge and launched a revolution.

For all his admiration for the “Revolution of ’75,” Thoreau had actually strayed far from the Minutemen and their world. The New England colonists who took up arms against the British on the famous day of 19 April 1775 were defending a communal society whose ideals were antithetical to Thoreau’s. They fought to preserve ancient institutions laid down by the Puritan fathers, those “worthy Ancestors” who had taken refuge from English tyranny in “the American Wilderness” and built a self-governing way of life around town, church, militia, schools, and family. This corporate community was made up of ranks and orders, all knit together in a well-ordered hierarchy. Just as the earth “has Mountains and Plains, Hills and Vallies,” New Englanders believed, so “there are the Distinctions of Superiours and Inferiours, Rulers and Ruled, publick and private Orders of Men.” In this patriarchal society, sons and daughters were expected to follow faithfully in their fathers’ and mothers’ paths, with one generation succeeding another on the land. The dominant ideal was to “live thickly” amid kin and neighbors, who gathered in the meetinghouse each Sabbath to worship together under a minister supported by their taxes. That blueprint for community was never fully realized, certainly not in Concord, which over the two centuries since its founding in 1635 had felt the force of dynamic social changes and developed into a more diverse and fluid place. Even so, the intellectual heritage of the Puritans, though attenuated, persisted into Thoreau’s time. “Who could live alone and independent?” the Reverend Ezra Ripley, Concord’s minister for six decades, from 1778 to 1841, once asked his congregation. “Who but some disgusted hermit or half crazy enthusiast will say to society, I have no need of thee; I am under no obligation to my fellow-men?”

The Reverend Ripley, the step-grandfather of Ralph Waldo Emerson, never anticipated the Transcendentalists and their world. The infant he baptized as “David Henry Thoreau,” raised under his preaching, “signed off” from Ripley’s church once he came of age. “Know all men by these presents,” he declared with a flourish, “that I, Henry Thoreau, do not wish to be regarded as a

member of any incorporated society which I have not joined.” The young man prized his independence from nearly all institutions, as he boldly asserted in “Resistance to Civil Government.” “I am not responsible for the successful working of the machinery of society. I am not the son of the engineer.” Indeed, he recommended his self-sufficient way of life at Walden as the best means of preserving individual integrity. How could the man of wealth exercise moral independence? “The rich man . . . is always sold to the institution which makes him rich. Absolutely speaking, the more money, the less virtue.” To the eighteenth-century statesmen who created the American republic, the possession of property was the bulwark of civic responsibility. Thoreau up-ended that equation. In his outlook, the fewer goods, the greater independence. “You must hire or squat somewhere, and raise but a small crop, and eat that soon. You must live within yourself, and depend upon yourself . . . and not have many affairs.”

What obligation, then, did he have to society? “Every man in a republic,” insisted the prominent Philadelphia revolutionary Benjamin Rush in 1787, “is public property. His time and talents – his youth – his manhood – his old age – nay more, life, all belong to his country.” Nothing could be farther from Thoreau’s thinking. Even as he went to jail to protest slavery and the war, he denied any responsibility to do so. “It is not a man’s duty, as a matter of course, to devote himself to the eradication of any, even the most enormous wrong; he may still properly have other concerns to engage him.” Civil disobedience had a different justification. Thoreau asserted a principle of negative obligation: he would *not*, directly or indirectly, be complicitous in injustice to others, even if called on by the state to do so. “If I devote myself to other pursuits and contemplations, I must first see, at least, that I do not pursue them sitting upon another man’s shoulders.” This was the extent of social responsibility: in Thoreau’s moral imagination, each individual was a sovereign self, free and independent – and respectful of the boundaries between itself and others.

Yet that line was not so firm after all. In “Resistance to Civil Government,” Thoreau undercut his principle of negative obligation with an affirmation of positive duty. “Under a government which imprisons any unjustly, the true place for a just man is also a prison.” Here Thoreau’s rhetoric goes beyond the moral

calculation he had urged as a rule: Are you sitting on somebody else's shoulders? He opens a way for the expression of social solidarity. When the man of conscience is true to his principles and refuses to be "the agent of injustice to another," he will find himself in a select society of heroic souls, whose bodies may be confined behind bars but whose spirits are free. Such individuals constitute a "wise minority" in society and should be cherished. "Heroes, patriots, martyrs, reformers in the great sense, and *men*," they "serve the State with their consciences also, and so necessarily resist it for the most part; and [so] they are commonly treated by it as enemies." In sacrificing for the right, they become as selfless servants of the common good as any eighteenth-century republican. It is time to recognize their virtue. "Why does [the government] always crucify Christ, and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels?" In refusing to pay his taxes and going to jail for the night, Thoreau was joining that exalted company. And he did it all for the sake of his neighbors.

And so, it turns out that Thoreau's quixotic act of civil disobedience – refusing a tax that had no bearing on the war and offering no explanation for his protest until the war was at an end – ultimately led him back to the community he so often upbraided. In the desire to sacrifice himself for principle and the common good, in imagining himself as Christ crucified, he was a faithful son of the Puritans and a loyal keeper of the "revolution of '75." The terms of his dissent were set by the world he had inherited: the interdependent community of Concord and New England. Thoreau was locked into opposition with a culture to which he was tightly bound. "I first saw the light in the quiet village of Concord, of Revolutionary memory," he once wrote in an autobiographical sketch for his Harvard classmates. "I shall ever pride myself upon the place of my birth – may she never have cause to be ashamed of her sons. If I forget thee, O Concord, let my right hand forget her cunning."

And what lessons are there for the rest of us, who live well beyond Thoreau's Concord in the fragile, interdependent global society of the twenty-first century? They lie in the unexpected fusion of seemingly antithetical strands in "Resistance to Civil Government": the strident libertarian voice rejecting all coercive



institutions, the strenuous moralist intent on serving society through an act of conscience. In our time, many Americans have inherited Thoreau's disdain for politics, his distaste for money-making as an end in itself, his insistence on the individual as the basic unit of the social order. What is missing these days is the appreciation of the many threads that bind us all. In his life, Thoreau discovered time and again that action from principle was imperative to avoid "sitting upon another man's shoulders." "Action from principle, – the perception and performance of right, – changes things and relations [he wrote in "Resistance to Civil Government"]; it is essentially revolutionary, and does not consist wholly with anything which was. It not only divides states and churches, it divides families; aye, it divides the *individual*, separating the diabolical in him from the divine." Paradoxically, such action, the foundation of civil disobedience, also connects the individual more closely to others. To fulfill this ethic would surely be as fully a revolutionary act today as it was in Thoreau's time.